

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

139 WRIT PETITION NO.13009 OF 2019

MEERA VILAS NAGARGOJE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Jadhavar Santosh S.
AGP for Respondents: Mr. S.P. Tiwari
Advocate for respondent No.2: Mr. V.M. Chate
...

CORAM : **S. V. GANGAPURWALA & AVINASH G. GHAROTE, JJ.**

Date: December 16th, 2019

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PER COURT :-

1 The petitioner is assailing the order of suspension dated 4.10.2019.

2 It is submitted by the learned counsel for the petitioner that petitioner is suspended by way of punishment. Neither enquiry has been initiated nor charge sheet is issued. The petitioner was suspended. Even assuming without accepting the charges, it cannot be said that the charges are such that it would invite major punishment.

3 We have heard learned counsel for respondent No.2 who supported the suspension order.

4 The petitioner is suspended under order dated 4.10.2019 in contemplation of departmental enquiry. Even the charge sheet is being referred to the Divisional Commissioner, as per the

affidavit filed. In view of that, the suspension cannot be said to be by way of punishment. It is in contemplation of the departmental enquiry. If the departmental enquiry is not completed within reasonable time, the petitioner can file application for revocation of suspension order.

4 The petitioner may also make representation about the change of her headquarters. Considering that the petitioner is a lady employee and is also under suspension and is required to attend head quarters as and when called, respondents shall consider the representation of the petitioner for change of head quarters within a period of 15 days from the date of receipt of the application from the petitioner.

5 With these observations, the writ petition is disposed of.

(AVINASH G. GHAROTE, J)

(S. V. GANGAPURWALA, J)